

REMARKS

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Claims 1, 4, 9-12, 15 and 19 stand rejected under 35 USC Section 102 as allegedly anticipated by Farros (US 5,930,810).

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Under Farros, a “product” is nothing more than stored data representing form elements or previously constructed products. A “resource request” under Farros, as alleged by the Examiner, amounts to a product selection, i.e., picking pre-defined or previously stored data. In short, Farros sells data with printing or production resources available downstream.

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Independent claims 1, 9, and 19 have been amended to recite “printer operational resources.” Various dependent claims, i.e., claims 4-7, 10-12, 15-18, and 20, have been amended to maintain antecedent basis for the phrase “printer operational resources.”

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As used in the present application and as now specifically claimed herein, a “printer operational resource” is distinct from stored data to be applied to a printer. Printer operational resources disclosed in the present application include, for example, such printer features as resolution, printer speed, network capability, communication links and the like. Such operational resources are not mere data products, but rather printer operational features affecting printer
25 operation beyond mere submission of data, e.g., sending a print job, thereto.

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In the most recent Office Action the Examiner responds to applicant’s arguments concerning the novelty of claims 1, 4, 9-12, 15, and 19 relative to Farros. The Examiner notes applicant’s argument regarding Farros, i.e., as lacking disclosure of printer operational resources. The Examiner then notes that applicant’s claims did not specifically recite printer operational resources. As a

result, the Examiner took a broad interpretation of claims 1, 4, 9-12, 15, and 19 to include such features as shown by Farros, i.e., form sizes, fonts or color.

Printer resources as now claimed recite printer operational resources. In contrast, the alleged “printer resources” of Farros, i.e., data products, do not represent functional or operational aspects of a printer.

The Examiner is now precluded from broadly interpreting applicant’s claims to include “data products” as shown by Farros.

Accordingly, the rejection of claims 1, 4, 9-12, 15, and 19 under 35 USC Section 102 as anticipated by Farros must be withdrawn.

The Examiner presents a variety of 35 USC Section 103 rejections, but in each case relies on Farros as a base reference: Claims 2 and 13 stand rejected as allegedly obvious in light of Farros and Pierce (US No. 6,202,057); Claim 3 stands rejected as allegedly obvious in light of Farros and Narukawa (US No. 6,281,978); Claims 5, 6, 16 and 17 stand rejected as allegedly obvious in light of Farros and Hayashi (US No. 6,375,297); Claims 7, 8, and 18 stand rejected as allegedly obvious in light of Farros and Nocker (US No. 6,236,486); and Claims 4 and 14 stand rejected as allegedly obvious in light of Farros and Freeman (US No. 6,134,557).

In each and every combination proposed under 35 USC Section 103, the Examiner relies on Farros as under to the Section 102 rejection, i.e., as teaching the claimed “printer resources.”

As noted above, however, applicant now recites “printer operational resources” beyond the teachings or suggestions of Farros.

Farros fails to teach or make obvious “printer operational resources.” The various references combined with Farros under 35 USC Section 103 also fail to teach or make obvious “printer operational resources.”

Accordingly, each proposed combination under 35 USC Section 103 fails for failure to include all the claim limitations.

In light of the above amendment and remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Respectfully submitted,

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CERTIFICATE OF MAILING

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Date 3/8/04

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